

**REMARKS**

The present Amendments and Remarks are in response to the Office Action dated April 21, 2008, in which the Office Action issued a rejection of claims 1, 3-10, 12, and 14-15. Although the Applicant disagrees with the Examiner's grounds for rejection, the Applicant has amended independent claims

In this response, the Applicant amends independent claims 1, 3, 8 and 9. Additionally, the Applicant has amended dependent claims 4-7, 10, 12, and 15. In this Office Action, the Applicant cancels claim 14. In view of the claim amendments and remarks, the Applicant respectfully requests that the pending claims be placed in a state of allowance. No new matter has been added.

**A. Claim Amendments**

The independent claims 1, 3, 8, and 9 have been amended to include two additional limitations. The first of these limitations is related to the first load resistance being configured to prevent damage to the stereo headset driver by providing a load that prevents the audio output from directly contacting the ground. Support for this limitation is provided in *inter alia* Paragraph 0020 and 0023 of the Published Patent Application, Pub. No. US 2005/0111670 A1.

The second limitation is related to placing a capacitor between the headset driver and each load resistance, wherein the capacitor is configured to filter DC voltage from the headset driver. Support for this limitation is provided in FIG. 1, FIG. 2, and by reference to capacitors 34 in *inter alia* Paragraph 0019 of the Published Patent Application, Pub. No. US 2005/0111670 A1.

**B. Claim Rejections - 35 U.S.C. §102(b) and §103(a)**

The Examiner has rejected prior claims 3-5, and 7-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,433,209 to Kurosawa (hereinafter referred to as "Kurosawa"). The Examiner also rejected claims 1, 6, 9, 10, 12 and 14-15 under 35 U.S.C. §103(a) as being unpatentable over Kurosawa. The Applicant respectfully disagrees with the Examiner's grounds for rejection, however, to

expedite the prosecution of this patent application, the Applicant has amended the claims as indicated above.

In the Examiner's Response to Arguments, the Examiner agrees that "the purpose of the load resistor R2 of Kurosawa is to function as a voltage divider along with resistor R7, in the ON/OFF functioning of transistor Q1 which controls the mixing of the right (IN<sub>R</sub>) and left (IN<sub>L</sub>) channels." See Pages 7-8 of Examiner's Action. Additionally, the Examiner agrees that "the purpose of Kurosawa's load R2 is **not** for protecting the playback device from being damaged by excessive electrical current ... however such limitation does not appear in the present claim language." *Id.* (emphasis added).

In each of the amended independent claims, the Applicant has more particularly pointed out that the first load resistance prevents damage to the stereo headset driver by providing a load that prevents the audio output from directly contacting the ground. Thus, Applicant has provided more particularity indicating that the stereo headset driver is being protected by the first load resistance.

Additionally, the Applicant has added a new claim element, namely, placing a capacitor between the headset driver and each load resistance, wherein the capacitor is configured to filter DC voltage from the headset driver. Simply put, this claim limitation is taught or suggested by Kurosawa.

Furthermore, the Office Action continues to maintain that in Kurosawa, the resistor R2 prevents the signal from the output of driver A2 from directly contacting a ground (SR). Although Applicant acknowledges that R2 can prevent a signal from the output of driver A1 from directly contacting a ground (SR), in Kurosawa, the R2 (the load) in Kurosawa is used to divide the voltage source +B, then to decide the state of conductivity or non-conductivity of the transistor Q1. Thus, whether the R-channel signal will be mixed to the L-channel signal or not will be decided according to the conductivity or non-conductivity state of the transistor Q1. This means that Kurosawa does not consider the problem of excessive heating of the headset driver, Kurosawa designs the R2 (the load) only for dividing the voltage source +B to decide the state of conductivity of the transistor Q, but not for protecting the playback device from being damaged by the excessive electrical current.

However, in contrast to Kurosawa, the Applicant's claims are directed to reducing current draw from a power supply of the playback device when a mono headset is plugged into the headset jack of the playback device, thus preventing the playback device from being damaged, and such limitation is now included in each of the independent claims.

Further still, even if the load R2 in Kurosawa, as advocated by the Office Action, can prevent the signal from the output of driver A2 from directly contacting a ground, Kurosawa still cannot prevent excessive electrical current drawn from a power supply of the playback device because Kurosawa does not limit the value of the resistance R2. For example, if assuming R8 and R2 both to be  $50\Omega$ , and assuming the minimum impedance or resistance, then that headset driver is configured to drive  $5K\Omega$ . In this case, all the features Kurosawa disclosed may still work, but the electrical current drawn from A2 will be excessively strong, and this excessive electrical current may significantly damage the playback device.

Applicant's amended claims ensure that the playback device will not be damaged as a result of the electrical current from the audio output being too excessive.

**C. Conclusion**

In view of all of the foregoing, claims 1, 3-10, 12, and 15 overcome the Examiner's rejections herein and are now patentably distinct and in condition for allowance, which action is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted;

Dated: July 8, 2008

/George W. Luckhardt/  
George W. Luckhardt  
Reg. No. 50,519

George W. Luckhardt  
Kyocera Wireless Corp.  
Attn: Patent Department  
P.O. Box 928289  
San Diego, California 92192-8289  
Tel: (858) 882-2593  
Fax: (858) 882-2485